

Posted on Thu, Oct. 20, 2005

No rush to up taxes on rent-a-cows

Proposed reforms to a widely abused Florida law meant to protect agriculture are given a cool reception in Tallahassee.

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TALLAHASSEE - Florida legislators balked Wednesday at proposed reforms to a law that grants tax breaks on farmland, despite widespread abuse of the law by developers.

Property appraisers urged state senators on the agriculture committee to strengthen the law so they could ensure that tax relief goes to genuine farmers. A recent Herald investigation found developers winning six-figure tax subsidies on farmland destined for subdivisions and warehouses.

"People are abusing the state law and using it for no other reason than greed and profit," Broward Property Appraiser Lori Parrish told the committee.

One lawmaker on the six-member committee, Republican Sen. Nancy Argenziano of Crystal River, dismissed Parrish's concerns about developers who pay "rent-a-cow" companies to earn the tax breaks. She said if the developers are greedy, so are the counties for wanting more tax revenue. "If there are cows on the land, then it's agriculture, and I don't care whether they are rented or owned," Argenziano said. "You can't discriminate just because the owner is a developer."

It's been years since legislators took up the 1959 "greenbelt" law, even though farm preservationists consider it one of the weakest in the nation. Most other states demand that in exchange for the tax breaks, landowners must tend a certain number of acres, turn a profit, promise not to build, or pay back taxes once they do.

But committee members and representatives of the agriculture industry said property appraisers need to do a better job enforcing the current law. "If we open up the law, we are going to open up a whole can of worms," said Katie Edwards, executive director of the Dade County Farm Bureau.

The committee meeting may not be the last word on the matter. Chairman Rod Smith, a Gainesville-area Democrat, said he would review court decisions and convene agricultural representatives and property appraisers to see if they can come to an agreement.

In a separate meeting with the chairman of the House agricultural committee, Republican Ralph Poppell of Titusville, Parrish proposed that property owners lose the tax break once they seek permission to use their land for a nonfarming purpose.

Edwards said that would discourage developers from leasing land to farmers who can't afford their own. Ben Parks of the Florida Farm Bureau, who also was at the meeting, said farmers who do own property need to be able to obtain the land-use changes without penalty, just in case the next natural disaster or economic downturn forces them to sell out.

"Do you think I fell off a turnip truck?" demanded Parrish. "You don't apply for a [land-use change] and spend that kind of money on it unless you mean business."

Orange County Property Appraiser Bill Donegan advocated a different idea. Landowners who buy vacant land, introduce agriculture to get the tax break, and then build on it would have to pay back the taxes they saved.

In the meantime, he has been taking developers who claim the tax break to court. He won an appeals court judgment last year against a resort chain that presented 230 acres as a tree farm even as work on a golf course had begun. "If someone doesn't pay their taxes, someone else has to, otherwise fire and schools and police will suffer," he said.